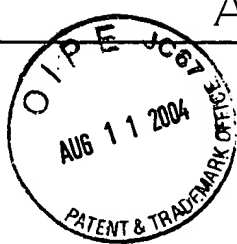


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17W



ARNOLD & PORTER LLP

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555 Twelfth Street, NW
Washington, DC 20004-1206

August 11, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Application No. 09/574,946
Filed: May 19, 2000
Title: Methods and Compositions for Regulated Transcription
and Expression of Heterologous Genes
Applicants: Christine K. SHEWMAKER *et al.*
Atty. Docket: 18866.002

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office (PTO):

1. a Statement of the Substance of the Interview; and
2. a return postcard.

Please stamp the attached postcard with the filing date of these documents and return it to our courier.

In the event that extensions of time beyond those petitioned for herewith are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any fees are due in conjunction with this filing. However, if any fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387 referencing matter number 18866.002. A duplicate copy of this letter is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David R. Marsh".

David R. Marsh (Reg. No. 41,408)

Dawn Gardner Krosnick (Reg. No. 44,118)

Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of:

Christine K. SHEWMAKER *et al.*

Appln. No.: 09/574,946

Filed: May 19, 2000

For: Methods and Compositions for
Regulated Transcription and
Expression of Heterologous Genes

Art Unit: 1638

Examiner: David T. Fox

Confirmation No.: 9904

Atty. Docket: 18866.002

Statement of the Substance of the Interview

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On August 4, 2004, Applicants' representative(s) held a telephone interview with Legal Instruments Examiner Katrina S. Turner regarding the above-referenced application. A record of the substance of that interview is as follows:

Applicant's representative discussed the issuance of a Notice of Non-Compliant Amendment with Examiner Turner. It was determined that the Notice of Non-Compliant Amendment should be withdrawn and the Amendment and Reply filed July 9, 2004 should be entered.

Respectfully submitted,

David R. Marsh (Reg. No. 41,408)

Dawn Gardner Krosnick (Reg. No. 44,118)

Date: August 11, 2004

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